

Notice of Allowability

Application No.

10/726,481

Examiner

Huyen Le

Applicant(s)

WINCKELS ET AL.

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 10/25/2005.
2. ☒ The allowed claim(s) is/are 1-42 and 44-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Britton on January 4, 2006.

The application has been amended as follows:

Claim 1,

Line 4, after "the inner portion",

--,wherein said neck includes an inner wall and an outer wall, the inner wall including a curved internal diameter increasing portion such that a diameter of said curved internal diameter increasing portion is larger than diameters of said inner wall above and below the internal diameter increasing portion-- has been inserted.

Claim 11,

Line 2-5 containing " wherein said neck...increasing portion;" has been deleted.

Claim 23,

Lines 7-8, "at least one rib" has been substituted with --a plurality of ribs--;

Line 9, "at least one rib" has been substituted with --plurality of ribs--.

Claim 42,

Lines 1-2, "at least one rib protrudes" has been substituted with --plurality of ribs protrude--.

Line 3, "at least one rib contacts" has been substituted with --plurality of ribs contact--

Claim 43 has been cancelled.

In the specification,

Page 8, before paragraph "[0039]",

--Figure 2 illustrates that the neck may includes an inner wall and an outer wall. The inner wall includes a curved internal diameter increasing portion such that a diameter of the curved internal diameter increasing portion is larger than diameters of the inner wall above and below the inter diameter increasing portion. Furthermore, the reducer may include a plurality of ribs.-- has been inserted.

2. The following is an examiner's statement of reasons for allowance: none of the prior art of record alone or in combination teaches a packaging device comprising neck includes an inner wall and an outer wall, the inner wall including a curved internal diameter increasing portion such that a diameter of said curved internal diameter increasing portion is larger than diameters of said inner wall above and below the internal diameter increasing portion; the flange of the reducer extending to a non-zero distance from at least a part of the outer portion of the rim, and further wherein the flange is located axially between the inner and outer portions of the rim of the neck.

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Furthermore, a package device comprises a plurality of ribs being located in the curved internal diameter increasing portion of the inner wall.

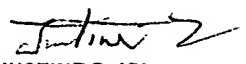
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Le whose telephone number is 571-272-4890. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HL
January 5, 2006


JUSTINE R. YU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700
1/6/06